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10/805,678	03/18/2004	Pekka Ketola	915-005.099	8566

			EXAMINER

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EXAMINER
ALVESTEFFER, STEPHEN D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 October 2010</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-3,5-16,18-30,33-36 and 38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-3,5-16,18-30,33-36 and 38</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to the Response filed October 21, 2010. No

claims are amended. Claims 4, 17, 31, 32, 37, and 39 are previously cancelled. Claims

1, 15, and 30 are independent. Claims 1-3, 5-16, 18-30, 33-36, and 38 remain pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 1-3, 5-16, 18-30, 33, 34, and 38 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Bennett et al. (hereinafter Bennett), United States Patent

Application Publication 2002/0194379, and Bates et al. (hereinafter Bates), United States Patent 6,735,347.

Regarding claim 1, Bennett substantially teaches a method comprising:

automatically tracing a latest operation relating to at least one source application using a tracing application, wherein the at least one source application and the tracing application are located on a device (see Bennett paragraph [0026], "*systems and methods utilize processes that identify information in source documents, extract data representing the identified information, and produce a structured template with the extracted data. The extracted information may then be used in a variety of ways. It may be used to categorize or assign relevance to the source documents. Also, the user device may be programmed to automatically integrate all or part of the extracted information with other applications operating on the device*"),

extracting at least one item from the traced operation (see Bennett paragraph [0087], "*if a source is received along with an indication of its type, for example, a task item, the process of extracting type-specific data from the source may be simplified significantly*"),

automatically recording the at least one extracted item into a list of recorded items in a file of the tracing application, said recorded item list comprising recorded items extracted from traced operations of various source applications, the file comprising items of different media types (Bates, addressed below) and the file being located on said device (see Bennett paragraph [0047], "*The client 100 comprises an organizer 210 with task, calendar, and contact components, 210a, 210b, and 210c,*

respectively. Those skilled in the art will recognize that task component 210a of

organizer 210 stores and manages information concerning tasks (e.g., "to do" items),

the calendar component 210b stores and manages information concerning time-related

events (e.g., meetings, conferences, deadlines, etc.), and contact component 210c

stores and manages information concerning contacts (e.g., name, address, telephone

number, fax number, etc.)."),

presenting, upon the tracing application being called by at least one target

application located on said device, the recorded item list of the tracing application to the

at least one target application to allow for user-selection of one or more recorded items

from the list (see Bennett paragraph [0083], "*the event extraction process automatically*

identifies a message as requiring action and identifies those sentences or phrases that

detail the action to be taken and/or any deadlines associated with taking the action.

Extracted information is represented in XML. A to-do list update program takes this

information, suggests to-do updates to the users of the to-do list software, and allows

them to confirm or reject the suggestion."); and

providing the one or more user-selected items to the at least one target

application (see Bennett paragraph [0083], "*A to-do list update program takes this*

information, suggests to-do updates to the users of the to-do list software, and allows

them to confirm or reject the suggestion.").

Bennett teaches every limitation of claim 1 except that the file comprises items of

different media types. Bennett only teaches that textual information is extracted. Bates

teaches extracting both images and text and storing both media types in the clipboard

for pasting into different applications (see Bates column 3 line 44 through column 4 line 4; "*Preferably, the text extractor 226, intelligent pasting agent 228 and image editor 229 are implemented system wide such that images can be copied from a document in one application and then intelligently pasted into a new document in a second application. For example, an image can be copied from a word processor, and the extracted text pasted into a text only field viewed on a web browser*"). It would have been obvious to one having ordinary skill in the art at the time the invention was made to allow extraction of media types other than text as taught by Bates in the text extraction invention of Bennett in order to allow integration with a wider variety of application types. Bennett suggests using at least image data as source content in paragraph [0029], "*In this application the term "text" refers to any type of data used to convey information. Character-based languages, such as English, French, Chinese, and Japanese convey information using characters or combinations of characters. However, graphic images also convey information, and they may be structured or unstructured. For example, an icon on a display screen may include a combination of characters and graphics that convey to the viewer information on the application, file, or data represented by the icon*".

Regarding claim 2, Bennett/Bates teaches that the item is selected from the file by means of a clipboard (see Bates column 5 lines 10-24; "*The selected data is then copied into the memory buffer for this purpose, sometimes referred to as a "clipboard."*").

Regarding claim 3, Bennett/Bates teaches that more than one operations is traced and recorded (see Bennett paragraphs [0082-0083], "*the event extraction process automatically identifies and extracts new phone/fax/cell phone numbers, email addresses, etc. from email… In still another example, the event extraction process automatically identifies and extracts time-critical events from textual materials such as research reports, news release, newspaper articles, etc.*").

Regarding claim 5, Bennett/Bates teaches that the file is a log file (a clipboard as taught by Bates is a specific type of log file).

Regarding claim 6, Bennett/Bates teaches that the tracing comprises automatically tracing at least one of the following operations: handling, receiving, sending, downloading, creating, and deleting (see Bennett paragraphs [0082-0083], "*the event extraction process automatically identifies and extracts new phone/fax/cell phone numbers, email addresses, etc. from email*").

Regarding claim 7, Bennett/Bates teaches that said extracted item is a content of the operation or a property of the operation (see Bennett paragraphs [0082-0083], "*the event extraction process automatically identifies and extracts new phone/fax/cell phone numbers, email addresses, etc. from email*").

Regarding claim 8, Bennett/Bates teaches that the at least one source application and the at least one target application are located within one application program (see Bennett paragraph [0047], "*The client 100 comprises an organizer 210 with task, calendar, and contact components, 210a, 210b, and 210c, respectively.*"; see also Bennett paragraph [0057], "*Those skilled in the art will recognize that certain*

architectures consistent with the present invention may provide for clients that do not

have resident applications but instead communicate with servers that manage

applications and/or application data for the clients. For example, a client device may

communicate with a server that maintains a calendar for a user associated with the

client device. In such a configuration, the client device may be prompted to update the

calendar located on the server."; In one embodiment, several components are

integrated into one application, with the source and target residing on the server

device).

      Regarding claim 9, Bennett/Bates teaches that the at least one source

application and the at least one target application are located in different application

programs (see Bennett paragraph [0026], "*the user device may be programmed to*

automatically integrate all or part of the extracted information with other applications

operating on the device").

      Regarding claim 10, Bennett/Bates teaches that the at least one source

application and the at least one target application are located in different devices (see

Bennett paragraph [0040], "*The facility obtains the user's email from, for example, a*

mail server associated with the user's email account. The facility parses the email for

structure and content of the body using various filters. The parsed content is then

presented to a rule-based system that invokes various processes to process the email.

One such process automatically identifies information in unstructured text of the email

message and extracts data representing, for example, an event to produce a structured

template with the extracted data. The facility then delivers the structured data to the

web-enabled cellular telephone for further action. In the case of an event, the facility

may also prompt the user to update a calendar associated with the user's organizer to

reflect the event. For example, if the event is a new meeting, the user's calendar is

updated to include the meeting.").

    Regarding claim 11, Bennett/Bates teaches that said file of the tracing

application is shared between application programs of a computing device (see Bennett

paragraph [0026], "*the user device may be programmed to automatically integrate all or*

part of the extracted information with other applications operating on the device").

    Regarding claim 12, Bennett/Bates teaches that the method comprises

identifying a media type of the item (see Bates column 3 line 44 through column 4 line

4; "*The extracted text can then be pasted into the destination document as text. Thus,*

textual information from an image can easily and automatically be copied into text

portions of the destination document. Alternatively, the image with the text removed can

be copied into the destination in one cut and paste operation").

    Regarding claim 13, Bennett/Bates teaches that said media type belongs to one

of the following groups: image, audio, video, text, uniform resource location, phonebook

entry, music, calendar event, wallet and error message (see Bennett paragraph [0029],

"*Systems and methods consistent with the present invention may operate on any form*

of source material, including structured text, unstructured text, or a combination of

both").

    Regarding claim 14, Bennett/Bates teaches that the method comprises

classifying the item based on the identified media type of the item (see Bates column 3

line 44 through column 4 line 4; "*The extracted text can then be pasted into the destination document as text. Thus, textual information from an image can easily and automatically be copied into text portions of the destination document. Alternatively, the image with the text removed can be copied into the destination in one cut and paste operation*").

Claims 15, 16, and 18-25 recite a device with substantially the same limitations as the method of claims 1-3, 5-9, and 11-14. Therefore, the claims are rejected under the same rationale.

Regarding claim 26, Bennett/Bates teaches that said latest operation to be traced is implemented without user action (see Bennett paragraph [0040], "*One such process automatically identifies information in unstructured text of the email message and extracts data representing, for example, an event to produce a structured template with the extracted data. The facility then delivers the structured data to the web-enabled cellular telephone for further action*").

Regarding claim 27, Bennett/Bates teaches that the device is further configured to allow for manual tracing of operations of the at least one source application (see Bennett paragraph [0087], "*in one alternative configuration, each source may be reviewed or pre-processed, either automatically or manually, to determine its type, or the provider of each source may designate a source's type*").

Regarding claim 28, Bennett/Bates teaches that the device is further configured for mobile communication (see Bennett paragraph [0028], "*Consistent with the present invention, the user devices at least receive data but they may also transmit and receive*

data. The users devices may be wireless or wired devices. A large variety of different

types of users devices may be adapted for use in connection with systems and methods

consistent with the present invention. A non-limiting list of user devices includes any

type of computer, any type of personal digital assistant (PDA), and any type of device

configured in accordance with standards used to configure computers, PDAs, and

wireless (such as cellular and satellite) telephones for communicating data").

Claim 29 recites a system for implementing the method of claim 1. Therefore,
claim 29 is rejected under the same rationale as claim 1.

Claims 30 and 33 recite a computer program product with substantially the same
limitations as the method of claim 1. Therefore, the claims are rejected under the same
rationale.

Regarding claim 34, Bennett/Bates teaches that a media type of said item
belongs to one of the following groups: image, audio, video (see Bates column 3 line 44
through column 4 line 4; "*The extracted text can then be pasted into the destination*

document as text. Thus, textual information from an image can easily and automatically

be copied into text portions of the destination document. Alternatively, the image with

the text removed can be copied into the destination in one cut and paste operation").

Regarding claim 38, Bennett/Bates teaches that said traced operation is one or
more of: a phone call, and for which said item is a phone number; a camera shot, and
for which said item is an image; and a site downloaded from a network, and for which
said item is the URL of the site (see Bennett paragraphs [0082-0083], "*the event*

extraction process automatically identifies and extracts new phone/fax/cell phone

numbers, email addresses, etc. from email").

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett

(US 2002/0194379) *supra*, Bates (6,005,928) *supra*, and Goh et al. (hereinafter Goh),

United States Patent Application 2006/0155811.

Regarding claim 35, Bennett/Bates teaches every limitation of claim 35, but

does not explicitly teach that said at least one target application is a multimedia

messaging service message. Goh teaches a clipboard system for mobile devices that

makes use of Multimedia Messaging Service (MMS) (see Goh paragraph [0053]; "*The*

example embodiment further comprises file conversion techniques for the user to

convert an attached file in a received email to an image file format or text format. For

example, the resultant image file can be viewed via Multimedia Messaging Service

(MMS), while the resultant text can be viewed via WAP"). It would have been obvious

to one having ordinary skill in the art at the time the invention was made to make use of

MMS technology as taught by Goh in the invention of Bennett/Bates. Bennett teaches

operating the invention using mobile devices similar to those used in Goh's invention

(see Bennett paragraph [0028], "*Consistent with the present invention, the user devices*

at least receive data but they may also transmit and receive data. The users devices

may be wireless or wired devices. A large variety of different types of users devices may

be adapted for use in connection with systems and methods consistent with the present

invention. A non-limiting list of user devices includes any type of computer, any type of

personal digital assistant (PDA), and any type of device configured in accordance with

standards used to configure computers, PDAs, and wireless (such as cellular and

satellite) telephones for communicating data")

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett

(US 2002/0194379) *supra*, Bates (6,005,928) *supra*, and Kumar, United States Patent

Application 2005/0028008.

Regarding claim 36, Bennett/Bates teaches every limitation of claim 36 except

that the method further comprises presenting said recorded item list utilizing a check-

box feature for user-selection. Kumar teaches utilizing a check-box feature for selecting

files to paste from a clipboard (see Kumar paragraph [0114]; "*Paste File(s) from*

Clipboard: This function allows the user to paste or insert all the selected files (via

checkbox) to the selected Folder"). Both Kumar and Bennett/Bates utilize a clipboard

for pasting multiple items. It would have been obvious to one of ordinary skill in the art

at the time the invention was made to utilize a check-box feature for selecting files to

paste as taught by Kumar in the invention of Bennett/Bates to provide a standard way of

selecting several items at once.

Response to Arguments

Applicant asserts that Bennett does not discuss that a user can "call" a tracing

application in order to allow provision of one or more items upon user instruction.

Examiner respectfully disagrees.

Applicant provides an example alleging deficiencies in Bennett, "*Without such a callable tracing application, it is respectfully submitted that a user of a device in accordance with the teaching of Bennett could not create an MMS message based on a previously viewed image*" (Response, page 4). However, examiner notes that applicant is reading a much narrower interpretation of the claim language into the claims. The independent claims do not require that a user be able to call a tracing application in order to allow provision of one or more items upon user instruction. The independent claims only require that the tracing application may be called by a target application, which Bennett provides for (see Bennett paragraph [0012], "*there is a need to provide a users with the ability to easily sort and categorize information in email messages, web pages, and the like, and to **integrate** (either automatically or **on demand**) **selected information with other applications**.*", emphasis added). Furthermore, the independent claims do not recite copying, pasting, MMS, or extracting images. Instead of reciting "copying" and "pasting", the independent claims only recite "recording" and "providing", which can reasonably be interpreted very broadly in the computer arts. Instead of creating an MMS message based on a previously viewed image, the independent claims only recite providing a recorded item to a target application. Again, "providing a recorded item to a target application" can reasonably be interpreted very broadly in the computer arts.

Bennett and Bates are believed to reasonably teach every limitation of the independent claims as recited. Specifically, applicant asserts that the limitation "*presenting, upon the tracing application being called by at least one target application*"

located on said device, the recorded item list of the tracing application to the at least

one target application to allow for user-selection of one or more recorded items from the

list" is not taught by Bennett or the combination of Bennett and Bates. Bennett teaches

extracting information from various sources such as email messages or web pages that

the user is viewing (see Bennett paragraph [0012], "*there is a need to provide a users*

with the ability to easily sort and categorize information in email messages, web pages,

and the like, and to integrate (either automatically or on demand) selected information

with other applications."), then storing that information into templates for later use (see

Bennett paragraph [0035], "*Systems and methods consistent with the present invention*

may utilize multiple types of templates, one for each type of information identified in a

source. Consequently, such systems and methods may populate an event information

template with data concerning an event extracted from a source, a contact information

template with data concerning a contact (e.g., name, address, telephone number, etc.)

extracted from a source, and a task information template with data concerning a task

extracted from a source, etc"). The user may then be presented the list of recorded

items to allow for selection of one or more items to be integrated with the user's

calendar, address book, to-do list, or the like (see Bennett paragraph [0036], "*After the*

information is extracted from an email, for example, the user may be prompted to

instruct the user's device to cause a separate software application, such as an

organizer, to update the user's calendar, address book, or task (to-do) list"). Therefore,

Bennett is still seen as teaching "*presenting, upon the tracing application being called*

by at least one target application located on said device, the recorded item list of the

tracing application to the at least one target application to allow for user-selection of one or more recorded items from the list".

Applicant asserts that Bennett could not have been combined with Bates to arrive at the features of the instant recited claims because a person of ordinary skill in the art would have to abandon the manual saving or automatic share/integration aspects of Bates or Bennett respectively, which would negate the benefits associated with each of these documents. Examiner respectfully disagrees.

Bates is relied upon only for its explicit teaching that different media types other than text may be stored for integration into other applications. Bennett teaches every limitation of the independent claims, but does not explicitly teach extracting and storing any information other than textual information. Bates shows that it was well known in the art at the time the invention was made to also extract and store images for later integration with other applications.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Lee (US 5,504,805) Calling number identification using speech recognition
- O'Hara et al. (US 2002/0178222) Information duplication and customization system and method for handheld computers

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Stephen Alvesteffer whose telephone number is

(571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-

6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Bashore can be reached on (571)272-4088. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Stephen Alvesteffer
Examiner
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/S. A./
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/William L. Bashore/

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